

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DENNIS BROWN,

Plaintiff,

v.

DEKALB COUNTY JAIL
SUPERINTENDENT, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:12-CV-969-TWT

ORDER

This is a pro se prisoner civil rights action. It is before the Court on the Report and Recommendation [Doc. 5] of the Magistrate Judge recommending dismissing the action as frivolous. A claim is frivolous “where it lacks an arguable basis either in law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989). A complaint may be dismissed for failure to state a claim on which relief may be granted when it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief. Scheuer v. Rhodes, 416 U.S. 232, 236 (1974). This includes claims describing fantastic or delusional scenarios, claims with which federal district judges are all too familiar. Denton v. Hernandez, 504 U. S. 25, 32 (1992).

The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is DISMISSED.

SO ORDERED, this 11 day of May, 2012.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge